



Protecting Montana's wildlife,
land, waters and hunting & fishing
heritage for future generations.

November 26, 2019

The Hon. Jon Tester
US Senate
Washington DC 20510

Dear Senator Tester:

Thank you for the opportunity to provide input on legislation to settle the water rights of the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community (FBIC), and specifically the proposed transfer of federal and state lands to be held in trust for the Tribes by the United States.

The Montana Wildlife Federation (MWF) is the oldest hunting heritage and wildlife conservation organization in Montana. Since 1936, MWF has been at the table to protect Montana's fish and wildlife, lands and waters, and hunting and fishing heritage. MWF has over 7,000 members and supporters and 15 affiliate organizations. The Montana Wildlife Federation supports multiple-use land management that balances development with wildlife habitat and public access for hunting, fishing, and other wildlife-based recreation.

The Montana Wildlife Federation has had the opportunity to meet with representatives of the Fort Belknap Indian Community and to tour the area affected by this proposal. We are grateful for the outreach efforts that the Fort Belknap Indian Community has undertaken to help us understand the origin and implications of the proposed transfer, as well as the larger context surrounding their water rights.

Based on our discussions and field review, MWF supports the transfer of the Grinnell Lands, approximately 14,700 acres administered by the Bureau of Land Management (BLM) within the "Grinnell Notch". These lands include the headwaters of key water sources on the Reservation. The Fort Belknap Indian Community makes a compelling case that these headwater areas are vitally important for maintaining both water quality and quantity. As you know, these lands were part of the original Reservation until 1896 when they were bought back by the US to facilitate mining in that area. The mining that took place in that area has had a serious adverse impact on the wildlife habitat and water quality in the area and downstream. Transferring these lands back to the Fort Belknap Indian Community will allow them to control these watersheds that are key to protecting and exercising their water rights in the future. Of course, these lands are also spiritually and culturally important to the Fort Belknap Indian Community, and those values should be respected.

We also support the proposed exchange and transfer of Montana State Lands, lands administered by the US Department of Agriculture and lands managed by the US Bureau of Reclamation (“the Dodson Lands”), all within the Reservation boundary. These transfers would provide the FBIC greater ability to meet their land management and irrigation goals.

The proposal also includes the transfer of about 18,000 acres of federal and state lands southwest of the Reservation, in the area known as the “Sub-marginal Area.” This area includes substantial intermingling of state, federal, tribal trust, and tribally-owned lands, and, there have been conflicts in the past between state and tribal authorities over wildlife management and access. We believe that continued communication between Montana Fish Wildlife and Parks and the Fort Belknap Fish and Wildlife Department and efforts to manage jurisdictional differences between the state and the tribes will be crucial to the long-term success of the expansion of Tribal Trust lands in this area. We encourage the state and tribes to continue to work together to resolve these differences.

In sum, we recognize the substantial need for the proposed transfers, and we believe that they will in the long-run have a net benefit for fish, wildlife, and hunters and anglers. At the same time, we believe that the long-term success of this proposal will also hinge on protecting the rights of non-tribal members to continue to access, use, and travel through the to-be-transferred lands outside the Reservation boundary. To that end, we strongly support the inclusion of provisions to ensure that tribal wildlife management and land management regulations mirror existing and future management of these areas, including seasons, fees, bag limits and other hunting regulations adopted by the Montana Department of Fish, Wildlife and Parks and land use and access regulations adopted by the US Bureau of Land Management and Montana Department of Natural Resource Conservation. We also strongly support the consideration of current use by non-tribal members for hunting and/or other recreational purposes on certain sections of public land that are currently accessed by the submarginal areas that would be transferred. Where necessary and appropriate, we support inclusion of provisions guaranteeing access to public lands for non-tribal members as currently established via existing roads or trails.

Again, thank you for the opportunity to provide comments on this issue. We look forward to being part of the process going forward.

Sincerely,

Tom Puchlerz

A handwritten signature in black ink that reads "Tom Puchlerz". The signature is written in a cursive style with a large, looping flourish at the end of the name.

President
Montana Wildlife Federation